

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Jallatte S.A.

Opposer,

vs.

Breaker Jeanswear Corp.

Applicant.

Opposition No. 91169564



04-24-2006

U.S. Patent & TMO/TM Mail Rcpt Dt. #3:

AGREED MOTION FOR SUSPENSION OF PROCEEDINGS

COMES NOW the Applicant, Breaker Jeanswear Corp. ("Applicant"), by and through undersigned counsel for Applicant, and requests that these proceedings, including Applicant's deadline to respond to the Notice of Opposition, as well as the discovery and testimony period in these proceedings be suspended. The parties to the above-styled opposition proceedings are currently in the midst of negotiating a settlement agreement and are optimistic that the litigation will be amicably resolved.

The undersigned has contacted counsel for Opposer, Mark Lebow, Esq., who has agreed to the relief requested herein.

WHEREFORE, Applicant requests that the relief set forth above be granted, and that the discovery and testimony periods of these proceedings be suspended for six (6) months to allow the parties to continue settlement negotiations, subject to the right of either party to request that these proceedings be re-opened prior thereto. In addition, Applicant requests that it be afforded until thirty (30) days after these proceedings are re-opened in which to answer or otherwise respond to the Notice of Opposition.

Respectfully submitted,

Dated: April 17, 2006

By: 

John Cyril Malloy, III
Florida Bar No. 964,220
Andrew W. Ransom
Florida Bar No. 964,344
MALLOY & MALLOY, P.A.
2800 S.W. 3rd Avenue
Miami, Florida 33129
Attorneys for Opposer
Telephone: (305) 858-8000
Facsimile: (305) 858-0008

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing document was served on Mark Lebow, Esq., YOUN & THOMPSON, 745 South 23rd Street, Arlington, Virginia 22202, via first class United States Mail, postage pre-paid this 17th day of April, 2006.

By: 

Andrew W. Ransom
Florida Bar No. 964,344

CERTIFICATE OF MAILING

I HEREBY CERTIFY that an original and two copies were deposited by United States Postal Service as first class mail in an envelope addressed to: United States Patent and Trademark Office, Trademark Trial and Appeal Board, P.O. Box 1451, Alexandria, Virginia 22313-1451, this 17th day of April, 2006.

Respectfully submitted,

By: 

Andrew W. Ransom
Florida Bar No. 964,344